1. That a [Proposed] Permanent Injunction and Dismissal With Prejudice ("Injunction") be entered in the form attached hereto as Exhibit A.

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- 2. Defendants stipulate not to appeal the Injunction entered pursuant to this Stipulation and hereby waives all rights to appeal from it. Defendants hereby waive any rights which they may have to request or to have a new trial or any rights which they may have to otherwise challenge, directly or collaterally, the Injunction entered pursuant to the terms of this Stipulation, unless there is a breach by Plaintiff of the Release and Settlement Agreement and this Stipulation.
- 3. Defendants acknowledge that they have completely read the terms of this Stipulation and fully understand the terms and consequences of the Stipulation and Injunction.
- 4. The waiver by a party to this Stipulation of the performance of any covenant, condition or promise herein shall not invalidate this Stipulation nor shall any such waiver be construed as a waiver or relinquishment of the performance of any other covenant, condition or promise in this Stipulation.
- 5. This Stipulation may be amended or modified only by a written instrument signed by all the Parties.
- 6. The claims for relief, and each of them, alleged by Plaintiff against Defendants, shall be dismissed with prejudice.
- 7. This Stipulation shall be binding on and inure to the benefit of the Parties to it, their successors, heirs or assignees.

IT IS SO STIPULATED:

Dated: June 18, 2008

J. Andrew Coombs, A Professional Corp.

By: /s/ Annie S. Wang

J. Andrew Coombs Annie Wang

Attorneys for Plaintiff Adobe Systems Incorporated

Dated: 6.9, 2008

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By: Ira Silver

Attorney for Defendants

6/23/08

Adobe v. Salibi: Stipulation for Perm. Inj.

-2-

EXHIBIT A

	· ·	•
1 2	J. Andrew Coombs (SBN 123881) andy@coombspc.com Annie S. Wang (SBN 243027)	
3	annie@coombspc.com J. Andrew Coombs, A Prof. Corp.	
4	517 East Wilson Avenue, Suite 202 Glendale, California 91206	
5	Telephone: (818) 500-3200 Facsimile: (818) 500-3201	
6	Attorneys for Plaintiff	
7	Adobe Systems Incorporated	
8	Ira S. Silver SILVER & SILVER	
9	108 S. Miami Avenue, 2 nd Floor Miami, Florida 33130 Telephone: (305) 374-4788	
10	Telephone: (305) 374-4788 Facsimile: (305) 358-6535	
11	Attorney for Defendants	
12	I DITTED CTATES	DISTRICT COLIDT
13	UNITED STATES DISTRICT COURT	
14	NORTHERN DISTRICT OF CA	LIFORNIA (SAN FRANCISCO)
15	Adobe Systems Incorporated,) Case No. CV08-1538 PJH
16	Plaintiff, v.) [PROPOSED] PERMANENT) INJUNCTION AND DISMISSAL WITH
17	Kamal Salibi, Aref Salibi, Gifts & Things, Inc.) PREJUDICE
18	and Does 1 – 10, inclusive,))
19	Defendants.	ý
20	The Court, having read and considered th	e Joint Stipulation for Permanent Injunction and
21	Dismissal with Prejudice that has been executed	by Plaintiff Adobe Systems Incorporated
22	("Plaintiff") and Defendants Kamal Salibi, Aref Salibi, and Gifts & Things, Inc. (collectively	
23	"Defendants") in this action, and good cause app	
24		ation and only as to Defendants, their successors,
	heirs, and assignees, this Injunction shall be and	is hereby entered in the within action as follows:

This Court has jurisdiction over the parties to this action and over the subject matter hereof pursuant to 17 U.S.C. § 101 et seq., 15 U.S.C. § 1051, et seq., 15 U.S.C. § 1121, and 28 U.S.C. §§ 1331 and 1338. Service of process was properly made against Defendants.

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- 2) Plaintiff is the owner of all rights in and to the copyright and trademark registrations listed in Exhibits A and B attached hereto and incorporated herein by this reference (collectively referred to herein as "Plaintiff's Properties").
- 3) Plaintiff has alleged that Defendants have made unauthorized uses of Plaintiff's Properties or substantially similar likenesses or colorable imitations thereof.
- 4) Defendants and their agents, servants, employees and all persons in active concert and participation with them who receive actual notice of the Injunction are hereby restrained and enjoined from:
 - a) Infringing Plaintiff's Properties, either directly or contributorily, in any manner, including generally, but not limited to manufacturing, importing, distributing, advertising, selling and/or offering for sale any unauthorized product which features any of Plaintiff's Properties ("Unauthorized Products"), and, specifically from:
 - i) Importing, manufacturing, distributing, advertising, selling and/or offering for sale the Unauthorized Products or any other unauthorized products which picture, reproduce, copy or use the likenesses of or bear a substantial similarity to any of Plaintiff's Properties;
 - ii) Importing, manufacturing, distributing, advertising, selling and/or offering for sale in connection thereto any unauthorized promotional materials, labels, packaging or containers which picture, reproduce, copy or use the likenesses of or bear a confusing similarity to any of Plaintiff's Properties;
 - iii) Engaging in any conduct that tends falsely to represent that, or is likely to confuse, mislead or deceive purchasers, Defendants' customers and/or members of the public to believe, the actions of Defendants, the products sold by Defendants, or Defendants themselves are connected with Plaintiff, are sponsored, approved or licensed by Plaintiff, or are affiliated with Plaintiff;
 - iv) Affixing, applying, annexing or using in connection with the importation, manufacture, distribution, advertising, sale and/or offer for sale or other use of any goods or services, a false description or representation, including words or other symbols, tending to falsely describe or represent such goods as being those of Plaintiff.
- 5) Each side shall bear its own fees and costs of suit.
- 6) Except as provided herein, all claims alleged in the Complaint are dismissed with prejudice.

By: <u>/s/ Annie S. Wang</u>
J. Andrew Coombs

Annie Wang Attorneys for Plaintiff Adobe Systems Incorporated

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Ira Silver

Attorney for Defendants

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EXHIBIT A Copyright Registrations

Title of March	Copyright Registration No.
Title of Work	TX0006277233
Acrobat 3D	TX0004559023
Acrobat Capture 1.0.	TX0004559023
Acrobat Capture 1.0.	TX0004509574
Acrobat Capture 2.0.	
Acrobat Capture 2.0.	TX0004509574
Acrobat Catalog for Windows.	TX0004001286
Acrobat Catalog for Windows.	TX0004001286
Acrobat Distiller 2.1 for Macintosh.	TX0004169553
Acrobat Distiller 2.1 for Macintosh.	TX0004169553
Acrobat Distiller 2.1 for Microsoft Windows.	TX0004169555
Acrobat Distiller 2.1 for Microsoft Windows.	TX0004169555
Acrobat Distiller for Microsoft Windows.	TX0003893510
Acrobat Distiller for Microsoft Windows.	TX0003893510
Acrobat Exchange 2.0 for Macintosh.	TX0004001287
Acrobat Exchange 2.0 for Macintosh.	TX0004001287
Acrobat Exchange 2.1 for Macintosh.	TX0004169554
Acrobat Exchange 2.1 for Macintosh.	TX0004169554
Acrobat Exchange 2.1 for UNIX.	TX0004231310
Acrobat Exchange 2.1 for UNIX.	TX0004231310
Acrobat Exchange and Acrobat Reader for Macintosh.	TX0003611923
Acrobat Exchange and Acrobat Reader for Macintosh.	TX0003611923
Actobal Exchange and Acrobal Roader for Windows	TX0003611922
Acrobat Exchange and Acrobat Reader for Windows. Acrobat Exchange and Acrobat Reader for Windows.	TX0003611922
Acropar Exchange and Acrobat Reader for Windows.	TX0003893506
Acrobat Reader 2.0 for Windows. Acrobat Reader 2.0 for Windows.	TX0003893506
	TX0004509573
Acrobat Reader 3.0.	TX0004509573
Acrobat Reader 3.0.	TX0003991344
Acrobat Search for Macintosh.	TX0003978856
Acrobat Search for Windows.	TX000376856
Acrobat Search for Windows.	TX000376363
Acrobat.	TX0001044793
Adobe Accelio Capture Advanced Client 4.0 for Windows.	TX0005553342
Adobe Accelio Integrate Suite 6.0 for Windows.	
Adobe Acrobat 3.0 for Macintosh, Windows and UNIX.	TX0004583920
Adobe Acrobat 3.0 for Macintosh, Windows and UNIX.	TX0004583920
Adobe Acrobat 4.0.	TX0004961793
Adobe Acrobat 5.0 for Macintosh.	TX0005545266
Adobe Acrobat 5.0 for Windows.	TX0005545265
Adobe Acrobat 5.0 Getting Started Guide.	TX0005545267
Adobe Acrobat 6.0 for Macintosh.	TX0005748744
Adobe Acrobat 6.0 for Windows.	TX0005748745
Adobe Acrobat 7.0 Standard for Macintosh.	TX0006045087
Adobe Acrobat 7.0 Standard for Windows.	TX0006045086
Adobe Acrobat 8 Professional for Macintosh.	TX0006390830
Adobe Acrobat 8 Professional for Windows.	TX0006390827

.	Adobe Acrobat 8 Standard for Macintosh.	TX0006390829
1	Adobe Acrobat 8 Standard for Windows.	TX0006390828
2	Adobe Acrobat & Standard for Windows. Adobe Acrobat Approval 5.0 for Macintosh.	TX0005654837
	Adobe Acrobat Approval 5.0 for Macintosh.	TX0005654837
3 ∥	Adobe Acrobat Approval 5.0 for Windows.	TX0005436556
	Adobe Acrobat Capture 3.0 source code.	TX0005199559
1	Adobe Acrobat Capture 3.0 source code. Adobe Acrobat Connect 1.0 for Macintosh.	TX0006390834
. #	Adobe Acrobat Connect 1.0 for Windows.	TX0006390835
5	Adobe Acrobat Cornect 1.0 for Windows. Adobe Acrobat Distiller Server 5.0.5.	TX0005758527
5	Adobe Acrobat Distiller Server 5.0.3. Adobe Acrobat Distiller Server 6.0 for UNIX.	TX0005847807
'∥	Adobe Acrobat Distiller Server 6.0 for Windows.	TX0005847832
7	Adobe Acrobat eBook Reader v. 2.0.	TX0005335249
	Adobe Acrobat eBook Reader v. 2.0.	TX0005335250
3	Adobe Acrobat Elements 1.0 for Windows.	TX0005611299
	Adobe Acrobat Elements 1.0 for Windows. Adobe Acrobat Elements 6.0 for Windows.	TX0005780821
∍	Adobe Acrobat Elements 6.0 for Windows. Adobe Acrobat Elements Server 6.0 for Windows.	TX0005848340
		TX0004241942
)	Adobe Acrobat Fill in 4.0.	TX0005200942
.	Adobe Acrobat Inproduction 1.0.	TX0005200942
1	Adobe Acrobat Inproduction 1.0.	TX0005241268
.	Adobe Acrobat Messenger 1.0.	TX0005412874
2	Adobe Acrobat Reader 5.0 for Macintosh.	TX0005412875
3	Adobe Acrobat Reader 5.0 for Windows.	TX0005605114
`	Adobe Acrobat Reader 5.0.5 for AIX.	TX0005605113
4	Adobe Acrobat Reader 5.0.5 for HP-UX.	TX0005617024
-	Adobe Acrobat Reader 5.0.5 for Solaris.	TX0005617021
5	Adobe Acrobat Reader 5.05 for Linux. Adobe Acrobat Reader 5.1 for Macintosh.	TX0005620676
_	Adobe Acrobat Reader 5.1 for Windows.	TX0005620677
6	Adobe Acrobat Reader for Palm OS 1.0 for Windows.	TX0005422793
7	Adobe Acrobat Reader for Palm OS 1.0 (Macintosh)	TX0005617023
′	Adobe Acrobat Reader for Palm OS 2.0 (Windows)	TX0005617022
8	Adobe Acrobat Reader for Palm OS 2.0 (Windows) Adobe Acrobat Reader for Palm OS Beta Windows.	TX0005422794
Ĭ	Adobe Acrobat Reader for Paint OS Beta Windows. Adobe Acrobat Reader for Pocket PC: Version 1.0.	TX0005489269
9		TX0005086423
	Adobe ActiveShare 1.0.	TX0005267528
20	Adobe ActiveShare 1.5 for Windows. Adobe After Effects: 7.0 Professional for Windows.	TX0006277334
	Adobe After Effects: 7.0 Professional for Windows. Adobe After Effects: Version 5.0 for Macintosh.	TX0005392887
21	Adobe After Effects: Version 5.0 for Windows.	TX0005438054
,	Adobe After Effects: Version 5.5 for Macintosh.	TX0005493399
22	Adobe After Effects: Version 5.5 for Windows.	TX0005493400
23	Adobe After Effects: Version 6.0 for Macintosh.	TX0005777908
-	Adobe After Effects: Version 6.0 for Windows.	TX0005777907
24	Adobe After Effects 3.0 for Macintosh.	TX0004643401
	Adobe After Effects 3.0 for Macintosh. Adobe After Effects 4.0 for Macintosh and Windows.	TX0005011464
25	Adobe After Effects 4.0 for Macintosh and Windows. Adobe After Effects 5.5 Plug-in Power Pack for MacIntosh.	TX0005546626
1	Adobe After Effects 5.5 Plug-in Power Pack for Windows.	TX0005546627
26	Adobe After Effects 5.5 Pittg-III Fower 1 ack for Williams. Adobe After Effects 6.5 for Macintosh.	TX0005934788
<u>, </u>	Adobe After Effects 6.5 for Macintosh. Adobe After Effects 7.0 Standard for Macintosh.	TX0006277333
27	Adobe After Effects 7.0 Standard for Windows.	TX0006277335
28	Adope After Effects 7.0 Standard for Windows.	
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Adobe After Effects CS3 Professional for Windows and Macintosh.	TX0006457851
Adobe After Effects Production Bundle : Version 5.5 for Macintosh.	TX0005493398
Adobe After Effects Production Bundle : Version 5.5 for Windows.	TX0005493401
Adobe After Effects Production Bundle 5.0 for Macintosh.	TX0005392886
Adobe After Effects Production Bundle 5.0 for Windows.	TX0005392888
Adobe After Effects Version 6.5 for Windows.	TX0005934787
Adobe AlterCast 1.5 for Solaris.	TX0005520581
Adobe AlterCast 1.5 for Windows.	TX0005520583
Adobe Atmosphere : Version 1.0 Public Beta.	TX0005401513
Adobe Atmosphere 1.0 for Windows.	TX0005780857
Adobe Atmosphere Player 1.0 for Windows.	TX0005748760
Adobe Audition 1.0 for Windows.	TX0005777207
Adobe Audition 1.5 for Windows.	TX0005932189
Adobe Audition 2.0 for Windows.	TX0006277359
Adobe Audition 3.0 for Windows.	TX0006816095
Adobe Barcoded Paper Forms Solution 1.0 for Macintosh.	TX0005936309
Adobe Captivate 2 for Windows.	TX0006390833
Adobe Carlson Regular.	TX0003374876
Adobe Caslon Alternate Bold Italic : Version 001.000.	TX0003501138
Adobe Casion Alternate Bold.	TX0003501547
Adobe Casion Alternate Italic : Version 001.000.	TX0003501139
Adobe Creative Suite 2 Premium for Macintosh.	TX0006131248
Adobe Creative Suite 2 Premium for Windows.	TX0006131245
Adobe Creative Suite 2 Standard for Macintosh.	TX0006131247
Adobe Creative Suite 2 Standard for Windows.	TX0006131246
Adobe Creative Suite for Macintosh.	TX0005844481
Adobe Creative Suite for Windows.	TX0005844480
Adobe Creative Guite for Windows Adobe Dreamweaver CS3 Professional for Windows and Macintosh	TX0006534561
Adobe Exchange 2.0 for Windows.	TX0003961129
Adobe Extension Manager CS3 for Windows and Macintosh.	TX0006531581
Adobe Extension Manager Coo is Mindows and Macintosh.	TX0006531654
Adobe Flash CS3 Professional for Windows and Macintosh.	TX0006531604
Adobe Flash CS3 Professional for Windows and Macintosh.	TX0006531604
Adobe Flash Media Encoder 1.0.	TX0006526716
Adobe Flash Media Encoder 1.0.	TX0006526716
Adobe Flash Player 9 for Linux.	TX0006476523
Adobe Flash Player 9 for Linux.	TX0006476523
Adobe Flash Player 9 for Solaris.	TX0006457897
Adobe Illustrator : Version 5.0.1 (Mac).	TX0003846115
Adobe Illustrator : Version 5.5 (Mac).	TX0003846114
Adobe Illustrator: Version 6.0 Macintosh.	TX0004240043
Adobe Illustrator 10 for Macintosh.	TX0005446858
Adobe Illustrator 10 for Windows.	TX0005446857
	TX0003000202
Adobe Illustrator 3.0. Adobe Illustrator 8.0 for Macintosh and Windows.	TX0004953097
Adobe illustrator 8.0 for Magintosh and Windows.	TX0005159819
Adobe Illustrator 9.0 for Macintosh and Windows.	TX0005780817
Adobe Illustrator CS for Macintosh.	TX0005780806
Adobe Illustrator CS for Windows.	TX0006531603

1	TV0002200406
Adobe Illustrator.	TX0003380406
Adobe PageMaker 6.0 for Macintosh, Power Macintosh.	TX0004093314
Adobe PageMaker 6.5 Macintosh.	TX0004524555
Adobe PageMaker 7.0 for Macintosh.	TX0005409447
Adobe PageMaker 7.0 for Windows.	TX0005409446
Adobe Pagemaker Plug-in Pack for MacIntosh.	TX0005847834
Adobe Pagemaker Plug-in Pack for Windows.	TX0005847833
Adobe Photoshop : 5.5.	TX0005213806
Adobe Photoshop 6.0.	TX0005196369
Adobe Photoshop 7.0 for Macintosh.	TX0005562147
Adobe Photoshop 7.0 for Windows.	TX0005562148
Adobe Photoshop Album 2.0 for Windows.	TX0005780785
Adobe Photoshop CS for Macintosh.	TX0005780846
Adobe Photoshop CS for Windows.	TX0005780847
Adobe Photoshop CS2 for Macintosh.	TX0006131272
Adobe Photoshop CS2 Official JavaScript Reference	TX0006273756
Adobe Photoshop CS3 for Windows and Macintosh.	TX0006528611
Adobe Photoshop Elements : 4.0 for Macintosh.	TX0006277687
Adobe Photoshop Elements 1.0 for Macintosh and Windows.	TX0005329106
Adobe Photoshop Elements 2.0 for Macintosh.	TX0005592639
Adobe Photoshop Elements 2.0 for Windows.	TX0005592638
Adobe Photoshop Elements 2.0 for Windows	TX0006139024
Adobe Photoshop Elements 4.0 for Windows.	TX0006526701
Adobe Photoshop Lightroom 1.0 for Macintosh and Windows.	TX0003551958
Adobe Photoshop Macintosh.	TX0003971820
Adobe Photoshop Version 3.0 Mac.	TX0003971023
Adobe Photoshop Version 3.0 Windows.	TX0003616636
Adobe Photoshop Version 5.0 Macintosh and Windows.	TX0004835003
Adobe Photoshop Windows.	TX0003390143
Adobe Photoshop.	TX000408613
Adobe Photoshop.	
Adobe Photoshop.	TX0002897138
Adobetype Manager Deluxe 4.6 User Guide : Macintosh.	TX0005176752
Adope PhotoDeluxe, V1.0.	TX0004809739
Adope Photoshop : Version 4.0 : Macintosh and Windows.	TX0004571653
Authorware 7.0	TX0005800627
Contribute 4 (Mac)	TX0006471404
Designer 6.0 (Win)	TX0005932242
Encore DVD 2.0	TX0006277348
Font Folio 9.0 (Mac)	TX0005401449
Font Folio Open Type	TX0005845931
Form Manager 6.0	TX0006042527
Framemaker 7.0 (Mac)	TX0005596921
Framemaker 7.0 (Win)	TX0005596919
	TX0005746988
FreeHand MX (Mac)	TX0006131268
GoLive CS2 (Mac)	TX0006131269
GoLive CS2 (Win)	TX0006131282
Illustrator CS2 (Mac) Illustrator CS2 (Win)	TX0006131283
41 1 111 1 - 1 CCC (1866)	

InCopy CS (Win)	TX0005780858
InDesign CS2 (Mac)	TX0006139165
Macintosh Distiller.	TX0003893508
Macintosh PDF Writer.	TX0003893509
Macintosh Reader.	TX0003893511
Macromedia ColdFusion MX 7	TX0006201577
Macromedia Dreamweaver MX 2004	TX0005852659
Macromedia Fireworks MX 2004	TX0005839595
Macromedia Flash Lite 2.0	TX0006288632
Macromedia Flash Media Server 2	TX0006335779
Macromedia Flash MX 2004 Pro	TX0005852657
Macromedia RoboHelp HTML X5	TX0005944534
Macromedia RoboHelp X5	TX0005944535
Macromedia Shockwave for Authorware Run-time Version 3.5 [for	
Macintosh, Power Macintosh, Windows 3.1/95/NT]	TX0004695283
Macromedia Shockwave for FreeHand 5.0 (for Macintosh, Power	
Macintosh, Windows 3.1/95/NT)	TX0004671697
PhotoDeluxe 2.0 (Mac)	TX0004771678
PhotoDeluxe 2.0 (Win)	TX0004617316
Photoshop CS2 (Win)	TX0006131279
Photoshop Elements 5.0	TX0006389641
Premiere 7.0	TX0005777909
Premiere Elements 3.0	TX0006389647
Premiere Pro 1.5	TX0005931988
Premiere Pro 2.0	TX0006275628
Production Studio 1.0	TX0006277349
Shockwave for Director 5.0.	TX0004700912
Windows PDF Writer.	TX0003893507

EXHIBIT B Trademark Registrations

Trademark Registration No.:	Title of Work:	Rights Owner:
3029061	ADOBE	Adobe Systems Incorporated
2920764	PHOTOSHOP	Adobe Systems Incorporated
3111341	CREATIVE SUITE	Adobe Systems Incorporated
2993457	CO-AUTHOR	Adobe Systems Incorporated
3032288	Α	Adobe Systems Incorporated
2983111	VISUAL COMMUNICATOR	Adobe Systems Incorporated
3065143	ADOBE LIVECYCLE	Adobe Systems Incorporated
2725811	ADOBE STUDIO	Adobe Systems Incorporated
2725810	ADOBE STUDIO	Adobe Systems Incorporated
2722546	ADOBE STUDIO	Adobe Systems Incorporated
2557911	CLEARLY ADOBE IMAGING	Adobe Systems Incorporated
2076967	THE ADOBE GROUP	Adobe Systems Incorporated
2081343	Α	Adobe Systems Incorporated
2817626	ROUNDTRIP HTML	Adobe Systems Incorporated
2060488	ILLUSTRATOR	Adobe Systems Incorporated
1988712	ADOBE	Adobe Systems Incorporated
1988711	Α	Adobe Systems Incorporated
1988710	A	Adobe Systems Incorporated
1961762	AUTHORWARE	Adobe Systems Incorporated
1956216	ADOBE	Adobe Systems Incorporated
1901149	A ADOBE	Adobe Systems Incorporated
1850242	PHOTOSHOP	Adobe Systems Incorporated
1852943	Α	Adobe Systems Incorporated
1651380	ADOBE PHOTOSHOP	Adobe Systems Incorporated
1475793	ADOBE	Adobe Systems Incorporated
1487549	ADOBE SYSTEMS INCORPORATED	Adobe Systems Incorporated
1482233	ADOBE SYSTEMS INCORPORATED	Adobe Systems Incorporated
1486895	ADOBE	Adobe Systems Incorporated
1479408	ADOBE ILLUSTRATOR	Adobe Systems Incorporated
1383131	POSTSCRIPT	Adobe Systems Incorporated

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1463458	POSTSCRIPT	Adobe Systems Incorporated
2520435	MACROMEDIA FLASH	Adobe Systems Incorporated
2650911	MACROMEDIA FLASH	Adobe Systems Incorporated
2852245	FLASH	Adobe Systems Incorporated
2855434	FLASH	Adobe Systems Incorporated
2060488	ILLUSTRATOR	Adobe Systems Incorporated
2068523	ACROBAT	Adobe Systems Incorporated
1997398	ACROBAT CAPTURE	Adobe Systems Incorporated
1901566	SHOCKWAVE	Adobe Systems Incorporated
2294926	DREAMWEAVER	Adobe Systems Incorporated
2091087	PAGEMAKER	Adobe Systems Incorporated